



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

September 19, 2016

Certified Mail

7012 3460 0003 1113 1960

Dennis Flynn, Board Chairperson
Lakeshore Heights MWC
P.O. Box 313
Lakehead, CA 96051

TRANSMITTAL OF CITATION NO. 01-02-16C-012

Dear Mr. Flynn,

The State Water Resources Control Board, Division of Drinking Water, has issued the Lakeshore Heights Mutual Water Company a citation, which is attached.

If you have any questions regarding this matter, please call staff engineer Steve Watson at (530) 224-4828 or me at (530) 224-4800.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. McNamara".

Michael J. McNamara, P.E.
Lassen District Engineer
Drinking Water Field Operations Branch

cc: Richard L. Hinrichs, Chief, Northern California Section

Enclosure

sww \ 4500014 Lakeshore Heights MWC \ File: Enforcement

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | www.waterboards.ca.gov

STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Lakeshore Heights Mutual Water Company
P.O. Box 313
Lakehead, CA 96051

Attn: Dennis Flynn, Board Chairperson

**CITATION FOR VIOLATION OF
WATER SUPPLY PERMIT CONDITION NO. 4
ISSUED ON JULY 12, 2007, AND
SECTION 106885 OF THE CALIFORNIA HEALTH AND SAFETY CODE**

WATER SYSTEM NO. 4500014

CITATION NO. 01-02-16C-012

Issued on September 19, 2016

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the Lakeshore Heights Mutual Water

1 Company (hereinafter, Company) (P.O. Box 313, Lakehead, CA 96051) for violation of Water
2 Supply Permit Condition No. 4, of the Company's operating permit issued on July 12, 2007.

3
4 **APPLICABLE AUTHORITIES**

5
6 **Section 116650 of California Health and Safety Code provides:**

7 (a) If the department determines that a public water system is in violation of this
8 chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the
9 department may issue a citation to the public water system. The citation shall be served upon
10 the public water system personally or by certified mail. Service shall be deemed effective as of
11 the date of personal service or the date of receipt of the certified mail. If a person to whom a
12 citation is directed refuses to accept delivery of the certified mail, the date of service shall be
13 deemed to be the date of mailing.

14 (b) Each citation shall be in writing and shall describe the nature of the violation
15 or violations, including a reference to the statutory provision, standard, order, citation, permit, or
16 regulation alleged to have been violated.

17 (c) A citation may specify a date for elimination or correction of the condition
18 constituting the violation.

19 (d) A citation may include the assessment of a penalty as specified in subdivision
20 (e).

21 (e) The department may assess a penalty in an amount not to exceed one
22 thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a
23 violation continues to occur. A separate penalty may be assessed for each violation.

1 **Permit Condition No. 4 of the Operating Permit issued on July 9, 2007, provides in**
2 **relevant part:**

3 4. A minimum of one sample per day shall be collected from the raw water and
4 finished treated water for the required turbidity monitoring. Daily sample results shall be
5 recorded on an approved water system monthly report form. Monthly report forms shall be
6 reviewed and signed by the water system's Certified Distribution [sic] Operator and submitted to
7 this office no later than the 10th day of the following month.

8
9 **Section 63750.25 of the California Code of Regulations, Title 22, provides in relevant part:**

10 "Chief operator" means the person who has overall responsibility for the day-to-
11 day, hands-on, operation of a water treatment facility...

12
13 **Section 63750.70 of the California Code of Regulations, Title 22, provides in relevant part:**

14 "Shift operator" means a person in direct charge of the operation of a water
15 treatment facility or distribution system for a specified period of the day.

16
17 **Section 64413.5 of the California Code of Regulations, Title 22, provides in relevant part:**

18 (a) Each water supplier shall designate at least one chief operator that meets the
19 [certification] requirements specified in §63765 for each water treatment facility utilized by the
20 water system.

21 (b) Each water supplier shall designate at least one shift operator that meets the
22 [certification] requirements specified in §63765 for each water treatment facility utilized by the
23 water system for each operating shift.

24
25 **Section 63765 of the California Code of Regulations, Title 22, provides in relevant part:**

26 (b) Treatment operators not designated by the water supplier as chief or shift
27 operator pursuant to §64413.5 shall be certified but may hold certificates of any grade.

1 **Section 106885 of the California Health and Safety Code, provides in relevant part:**

2 (a) All persons who operate or supervise the operation of water treatment
3 plants shall possess a valid and current water treatment operator certificate or water treatment
4 operator-in-training certificate of appropriate grade in accordance with the regulations referred
5 to in Section 106910.

6
7 **STATEMENT OF FACTS**
8

9 The Company operates a community water system which serves a population of approximately
10 225 people through 66 service connections. The water system includes a surface water
11 treatment plant which receives water from Charlie Creek. The treatment system consists of and
12 approved alternative filtration technology, known as membrane filtration, and disinfection with
13 sodium hypochlorite. The treated water is delivered to a 120,000-gallon capacity storage tank
14 and then delivered to the distribution system. Under Section 64413.1 of the California Code of
15 Regulations, Title 22, the Company's water treatment plant is class designation is T2.
16 Therefore, the Company is required to operate the water treatment facility utilizing a minimum
17 certified T2 Chief operator and a minimum certified T1 Shift operator. Furthermore, the
18 Company's Operations Plan identifies a T2 certified operator as being responsible for the daily
19 oversight of the operation of the treatment plant.

20
21 Based on records submitted to the Division, the day-to-day operation of the treatment facilities
22 is, at times, overseen by a "local" uncertified operator under the direction of the Company's
23 Chief Operator, Ernie Goff, a certified T2 contract operator. The Company operates the public
24 water system under a Water Supply Permit issued by the Shasta County Environmental Health
25 Division on July 9, 2007. Regulatory oversight of the Company transferred to the Division on
26 January 1, 2014.

27

1 The filtered water performance standards and reporting requirements for approved alternative
2 filtration technologies are established by permit condition. The Company's filter performance
3 standard is set by Permit Condition No. 10(c), which stipulates that the turbidity level of the
4 filtered water shall be equal to or less than 0.1-NTU in 95% of the measurements taken each
5 month and shall not exceed 1.0-NTU at any time. Permit Condition No. 4 requires that at
6 minimum, one sample per day shall be collected from the raw water and finished treated water
7 for the required turbidity monitoring. Sample results are to be recorded on a monthly report
8 form, which is to be reviewed and signed by the Chief Operator. Monthly treatment records
9 submitted to the Division by the Chief Operator for March 2016 and April 2016 show that the
10 filtered water turbidity was not reported for these months.

DETERMINATIONS

14 The Division has determined that the Company violated Permit Condition No. 4 of the Operating
15 Permit issued on July 12, 2007, in that the filter performance monitoring results were not
16 reported for the months of March 2016 and April 2016. Specifically, the treated water turbidity
17 must be measured at least once per day, while the plant is in operation, and the measurements
18 reported to the Division each month. The Company failed to submit reports for the months of
19 March 2016, and April 2016, which showed the results of treated water turbidity monitoring.

21 The Division has determined that the Company is not in compliance with the water treatment
22 facility staff certification requirements of Sections 63765 and 64413.5 of the California Code of
23 Regulations, Title 22, and Section 106885 of the California Health and Safety Code.
24 Specifically, the Company has non-certified operators, at times, operating the treatment plant on
25 a daily basis.

DIRECTIVES

The Company is hereby directed to take the following actions:

1. Comply with Permit Condition No. 4 during all future monthly monitoring periods.
2. By no later than **October 1, 2016**, ensure that the daily visit to the water treatment plant to record performance measurements, oversee Membrane Integrity Tests, collect readings, and verify proper plant operations is completed by a T1 certified Shift Operator or the Company's certified T2 Chief Operator.
3. By no later than **October 1, 2016**, the Company's certified Chief Operator or certified Shift Operator shall document their daily visit of the water treatment plant by initialing the monthly treatment records for that day.
4. Within 30 days of the issuance of this Citation, but in no case later than **November 1, 2016**, notify all persons served by the Company of the permit violation. Notification shall be completed by mail or direct delivery of the notice contained in Attachment 'A' to each customer receiving a bill, including those that provide their drinking water to others (e.g., renters).

Changes and/or modifications to Attachment 'A' shall not be made unless approved by the Division.
5. Submit for Division approval by **December 1, 2016**, an updated Operations Plan which follows Attachment 'B' entitled "Treatment Plant Operations Plan Outline."

1
2
3 6. Complete and return Attachment 'C' entitled "Compliance Certification" by
4 **December 1, 2016.**
5
6
7

8 Unless otherwise noted, all documents required under this Citation shall be submitted to the
9 Board at the following address:

10
11 Michael J. McNamara, P. E.
12 Lassen District Engineer
13 Division of Drinking Water
14 State Water Resources Control Board
15 364 Knollcrest Drive, Suite 101
16 Redding, CA 96002
17

18 As used in this Citation, the date of issuance shall be the date of this Citation; and the date of
19 service shall be the date of service of this Citation, personal or by certified mail, on the Water
20 System.
21

22 Nothing in this Citation relieves the Company of its obligation to meet the requirements of the
23 California SDWA or any regulation, permit, standard or order issued or adopted thereunder.
24 The Division reserves the right to make such modifications to this Citation, as it may deem
25 necessary to protect public health and safety. Such modifications may be issued as
26 amendments to this Citation and shall be effective upon issuance.
27
28
29

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Board to: issue a citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Board to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with or violates an order of the Board. The Board does not waive any further enforcement action by issuance of this citation.

PARTIES BOUND

This Citation shall apply to and be binding upon the Company, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The Directives of this Citation are severable, and the Company shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

9-19-2016

Michael J. McNamara

Date

Michael J. McNamara, P.E.

Lassen District Engineer

Division of Drinking Water

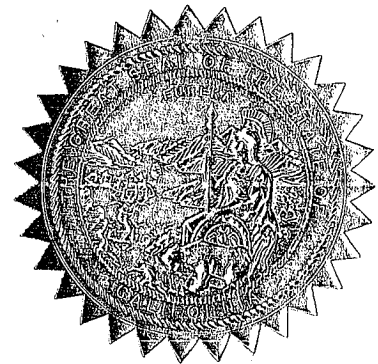
State Water Resources Control Board

Attachments:

'A' Public Notification Template

'B' Treatment Plant Operations Plan Outline

'C' Compliance Certification



CERTIFIED MAIL 7012 3460 0003 1113 1960



IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

Lakeshore Heights Mutual Water Company Did Not Meet its Water Treatment Plant Monitoring Requirements

Our water system recently violated a condition of our operating permit. As our customers, you have a right to know what happened, what you should do, and what we did to correct this situation. We routinely monitor your water for turbidity (cloudiness). This tells us whether we are effectively filtering out microbiological pathogens in the water supply. As a condition of our operating permit, we are to measure and record the turbidity of the filtered water each day. From this measurement, we can determine if the filter plant is operating properly, producing water that is safe to drink. During the months of March and April 2016, we did not report the daily filtered water turbidity to the Division of Drinking Water.

What Should You Do?

You do not need to boil your water or take other actions at this time. We do not know of any contamination, and none of our testing has shown disease-causing organisms in the drinking water.

What does this mean?

Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches. These symptoms are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice.

By not reporting the turbidity of the filtered water, we have no way to show that the treatment plant was producing potable water during March and April 2016. However, our filtration system is membrane ultrafiltration, which is considered a direct physical barrier. Membrane integrity tests, which are performed daily, continue to show that the membranes are in good operating condition. Therefore, we are confident that the quality of the water was potable during this time.

What Happened? What Was Done?

Beginning in March 2016, the Company failed to record the daily filtered water turbidity values on our compliance monitoring report to the Division of Drinking Water. Since May 2016, the filtered water turbidity has been measured and reported as required by state regulations.

As a result of this violation, we have been required by the Division of Drinking Water to ensure that all operators overseeing the plant are certified treatment operators. In addition, we are required to submit an operations plan that addresses the regulatory monitoring and reporting requirements and the roles and responsibilities of our local Shift Operators and our Chief Operator in the routine oversight of the treatment plant.

For more information, please contact Dennis Flynn, Board Chairperson at (530) 681-8027.

This notice is being sent to you by the Lakeshore Heights MWC.

State Water System ID#: 4500014

Date distributed:

State Water Resources Control Board

Division of Drinking Water

Treatment Plant Operations Plan Outline

1. Treatment Plant Staffing

- a. List Chief Operator, all other operators, responsibilities of each operator, grade of certification of each operator.
- b. Describe how the treatment plant is staffed with certified operators on weekends and holidays.

2. Treatment Plant Performance Requirements and Monitoring Program

This program must demonstrate compliance with all applicable sections of the SWTR, and describe:

- a. The regulatory performance requirements for the filtration and the disinfection processes.
- b. What water quality constituents are monitored, the sample location and frequency of monitoring.
- c. What instruments are used for monitoring? Calibration procedures and schedules for all instruments used.
- d. Monitoring and operational procedures to be used to ensure compliance with the SWTR disinfection inactivation requirements.

3. Unit Process Operation

- a. Provide a general overview of the operational philosophy and control of the treatment plant, along with a general process and instrument diagram.
- b. A complete description of each unit process, its capacity, and how it is controlled.
- c. Chemicals used in association with each unit process, type and capacity of chemical feed systems used, list of all instruments used for the process, and a description of how target dosage is determined, controlled, and measured.
- d. Monitoring and operational procedures to be used to ensure compliance with the disinfection inactivation requirements.
- e. Describe of how and when each unit process is operated, i.e., startup procedures, shutdown procedures and backwash procedures.
- f. Describe filter unit turbidity monitoring program after backwash for documenting compliance with SWTR backwash standards.

4. Records

List all records kept and provide an example of each form's use. These must include:

- a. Daily logs
- b. All water quality monitoring conducted.
- c. Hours of plant operation per day, plant flow rates, quantity of water produced.
- d. Filtration rates, backwash rates.
- e. Chemical dose rates.
- f. Date and description of major equipment and process failures, and corrective actions taken.
- g. Dates of filter maintenance and inspection
- h. Monthly performance compliance reports to the Division of Drinking Water.

5. Reliability

Description of:

- a. Each coagulation, filtration, and disinfection alarm system, operational set points, and alarm response when set points are exceeded (i.e., automatic plant shutdown, auto-dialer, etc.)
- b. Procedures and schedules for testing all alarm systems.
- c. Standby equipment available to assure continuous operation and control of unit process for coagulation, filtration, and disinfection.
- d. Operational procedures to deal with equipment failures and emergency conditions. Include a copy of your emergency disinfection system failure plan.

6. Maintenance

Description of:

- a. Preventative maintenance on all unit processes, equipment, monitoring equipment, and procedures to have faulty equipment repaired.
- b. In-house repair capability.

7. Emergency Power

- a. Describe procedures to be followed in the event of a power outage.

8. Compliance Reporting

- a. Provide a list of all documents and reports that must be maintained on site for various regulatory agencies
- b. Provide a list of all monthly, quarterly, and annual reports to be submitted to the Division of Drinking Water.
- c. Provide contact information for each regulatory agency, detailing which reports are sent to which agency.
- d. Include the most recent source water monitoring schedule for Title 22 requirements.

9. Emergency Notification Plan

- a. Include the most recent copy of the emergency notification plan for all water treatment plant wholesale customers.

COMPLIANCE CERTIFICATION

Citation Number: **01-02-16C-012**

Name of Water System: **Lakeshore Heights MWC**

System Number: **4500014**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the violations of its Operating Permit issued July 9, 2007, during the months of March 2016 and April 2016. In addition, I certify that the Lakeshore Heights MWC complied with the directives of this citation as indicated below:

<u>Required Action</u>	<u>Date Completed</u>
All operators must be certified, as required by Directive 2	_____
Operators must initial daily readings on monthly report, as required by Directive 3	_____
Public Notification, as required by Directive 4	_____
Operations Plan submittal, as required by Directive 5	_____
_____	_____
Signature of Water System Representative	Date

Attach a copy of the direct delivery notice.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT NO LATER THAN November 1, 2016.

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.